

**Minutes of the Veneta City Council**  
**Work Session**  
**April 18, 2007**

Council

Present: Mayor T. J. Brooker, Darrell Carman, Thomas Cotter, Sharon Hobart-Hardin and Marion Esty

Others: Ric Ingham, City Administrator; Margaret Boutell, Community Services Directory; Darci Henneman, Assistant City Recorder; and Linda Boothe

Mayor Brooker called the Veneta City Council meeting to order at 4:35 p.m.

**1. PUBLIC COMMENT**

**2. EVALUATE CODE ENFORCEMENT/NUISANCE ABATEMENT POLICIES**

Nuisance Code Enforcement and Possible Abatement

Margaret said the most common nuisances the City attempts to enforce are garbage, junk cars, lumber piles and other debris stored on private property which causes odor, attracts vermin and otherwise threatens the health and safety of neighbors. She said the City's current policy is one of complaint-driven enforcement; neighbors call and complain about garbage, etc. and the City responds. Usually violators comply once the City is involved, by cleaning up their property on their own. She said, however, some times it's an off and on process and the City Attorney is asked to get involved, which can be expensive and time consuming for staff. Margaret said at this point the City is unable to fine people who don't comply. In 2004 there were 43 nuisance calls and 52 in 2005.

Margaret said when it becomes clear the property owner is unwilling or unable to clean up their property and the debris is so voluminous, the City is required to spend thousands of dollars to hire an outside clean up company to abate (clean it up and bill the owner). This also triggers the City placing a lien on the property until the clean up costs are reimbursed to the City. In some cases nuisance issues have been ongoing for years because of this roadblock. Margaret said Teresa Warrick spends 10 to 15% of her time from October to May on nuisance issues.

In response to a question from Marion, Margaret said there is no time frame given to residents to clean up nuisance property. Margaret said previous to the annual Clean Up Day, a letter is sent to problematic neighbors as a reminder that Clean Up Day is coming up.

Margaret suggested three possible solutions to the Councilors: 1), change the code and institute a specific time frame in which residents are required to clean up their property; 2) dedicate more budgeted staff time to attend to nuisance/abatement enforcement issues; or 3) budget more funds for abatement.

Mayor Brooker suggested charging interest on the clean up costs plus placing a lien on the property.

Margaret said if the City were able to levy fines and avoid legal counsel being involved, the cost of hiring a FTE to specifically attend to nuisance complaints may be less expensive for the City. She said a FTE dedicated to nuisance enforcement would specifically look for and respond to violations and be authorized to levy fines for violations.

Thomas Cotter suggested the first contact would be in person or a written notice, if there was no response from the violator, a fine would be assessed.

Mayor Brooker felt over time this should be able to pay for the FTE. He said nuisance abatement could still be a part of the code.

Ric suggested pursuing civil violations by using City staff over the next six months to estimate what the cost would be and by January 2008 code amendments could possibly be put into effect.

Margaret suggested creating a proposal and present it to the Council at the next meeting.

#### Setback Enforcement

Margaret said as part of the land use planning process for site plan reviews, conditions are set that require property owners to plant trees and shrubs, build screening, fencing, pave parking lots, etc. to comply to the plan. Margaret used her powerpoint presentation to show examples of violations including accessory structures placed within the five ft. side yard setback.

In response to a question from Marion, Margaret said this issue was brought to the City's attention by the building inspector. Whenever the building inspector notices a carport being constructed without a building permit, he issues a stop work order and notifies City staff. He also notifies City staff of possible setback violations.

There was much discussion on whether to ban all accessory structures referred to in Margaret's powerpoint. Ric said the structures located within setbacks are a fire issue not only because they are potential fuel but they hinder crews from reaching a fire in a backyard or at the rear of a home. Structures not needing permits are often placed within setbacks.

Mayor Brooker said nothing should be allowed in the setback as part of the code. The City doesn't have to allow RV parking. He said if the City is not going to allow structures like that or RV parking in the setback then homes should not be allowed to be built with only the minimum setbacks.

In response to a question from Darrell Carman, Margaret said the code definition of a structure is "... a structure is that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner". Code also states "the highest point of any accessory structure cannot exceed 24 ft." Margaret said the setback codes is "at least five ft. from the property line to the building and a total of 15 ft." "...except for garages and carports, accessory structures in certain zones shall not be located between any front or side street and a principle building unless it complies with the with the minimum yard setbacks ..."

Thomas Cotter said he wasn't bothered by the freestanding canvas structures, however, he felt the City should not allow any free standing covers because we cannot control the color or the condition.

In response to Sharon Hobart-Hardin saying prohibiting the structures would be the fairest response, Ric asked if they should prohibit them altogether or prohibit them within the setback.

### Site Plan Enforcement

Setbacks from the property line are planning violations. She said violations in commercial zones are discovered only on site plan review follow ups because staff is limited. She said there is no follow up when commercial property is purchased if the usage of the property does not change.

Ric said the code enforcement field work could be done by an enforcement officer and not the City Planner. A violator could talk to the Planner and create a correct site plan. The City gets very few site plan nuisance calls.

Margaret said an experienced enforcement officer could enforce all nuisance calls discussed tonight.

### **3. REVIEW LOCAL IMPROVEMENT DISTRICT (LID) POLICIES AND PROCESS SUBCOMMITTEE CONCLUSIONS**

Margaret said there have been a couple of meetings so far that Carolyn Connelly has attended with the sub committee. However all agreed not to move forward with the LID process because the code changes were complex and include taking several pieces of code and combining them so it would be easier to find and addresses previous issues.

Darrell Carman said the end result would be to set specific default criteria which would give the City the flexibility to work the process in a fair and reasonable manner. The basic criteria will still be adhered to (the 100 ft. by 60 ft. standard) but it won't be mandatory for all property owners.

In response to a question from Mayor Brooker, Darrell Carman said the options for the LID is to collect the money needed to fund the improvement by using the default criteria. He said money would still be collected but it would be over time and not immediately.

Thomas Cotter said the infrastructure would be laid out but the payment won't be paid when the impact is made. He said one house on a large lot would be charged the same as one house on a small lot, but eventually when development occurs on the larger lot the charges would be assessed.

Darrell Carman said a developer would pay in advance for the hook ups for undeveloped lots. When the lots are developed, the developer would be reimbursed rather than the City.

In response to a question from Mayor Brooker, Thomas Cotter said no precedence will be set that will be "one size fits all". He said there are different criteria. For example, in order for a resident making deferred payments, there will be certain criteria to be met. Residents will not be able to decide what criteria they will be able to claim.

### **4. EVALUATE THE ADDITION OF CITY SPONSORED RECREATION PROGRAMS**

Jason Gank of Willamalane Parks and Recreation District attended tonight's meeting to speak to the Councilors. Willamalane is willing to provide activities at the City Park four days per week. Jason suggested a "Play in the Park" program. Margaret said once the aquatic schedule is finalized the City would combine it with other community involvement throughout the City; library, Campfire, Explorers' Club, etc. Mr. Gank also put together a great swimming lesson proposal but unfortunately the cost of transportation to and from their Springfield facility was too expensive and travel time was too long for children.

Margaret suggested the "Play in the Park" program in the afternoon and Explorer's Club in the morning. An Explorer's Club coordinator could walk the children from Veneta Elementary (when the Explorer's Club is over) to the park for lunch and the play.

Margaret said the YMCA is willing to provide swimming lessons at their facility at 21<sup>st</sup> and Patterson St. in Eugene. She said they reduced their regular prices for Veneta children of \$50 per child to \$15 per child. Transportation was discussed; whether children will take a Lane Transit District bus (only in the a.m.) and provide a coordinator to accompany the children or if parents will provide their own transportation.

Ric said the a Lane Transit District (LTD) bus leaves Veneta at 8:26 a.m. and arrives at the YMCA at 9:19 a.m., returning to Veneta at 10:49 a.m. There was much discussion about the Veneta LTD bus being over crowded at that time and the possibility of hiring a Laidlaw bus to provide transportation.

All Councilors agreed swimming lessons offered at the YMCA should be a part of the City's summer program schedule.

Margaret said the Camp Wilani pool is available in the morning, evening and Saturdays for lessons. She suggested offering evening swim lessons because the YMCA only offered morning lessons. This would give City residents some options. The YMCA also said they can provide staffing for lessons at the Camp Wilani pool, however, when our new pool facility is completed, we may not have adequate staffing for it.

Traffic to and from Camp Wilani was also discussed. Margaret suggested parents could park at the upper end of the Camp and walk to the pool or the City could hire a van or bus and transport children to and from Veneta.

Mayor Brooker said he liked what Margaret had created but wants to keep spending below the previous pool operating costs. He felt the YMCA and Camp Wilani's programs are more affordable than Willamalane's swimming program.

Ric said at the April 23, 2007 Council meeting the summer program schedule and costs would be discussed and figured into the budget.

Mayor Brooker said at that meeting the Council would authorize an amount.

In response to Mayor Brooker suggesting the known expenditures for the pool be set aside then we would know what is left to spend, Margaret said some of the costs are yet to be identified and we may want to have additional funds for unknown costs. Mayor Brooker suggested for future budgets a line item should be added for summer programs.

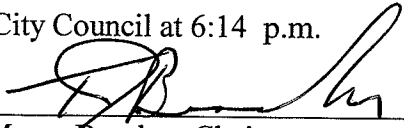
Ric said Jerri and Margaret worked through the final expenditure report. He said \$32,000 has already been spent this fiscal year. He said \$18,000 is available but will only carry us through June 30<sup>th</sup>.

In response to a question from Darrell Carman, Margaret said the pool architects' bill will be discussed at the next Council meeting of April 23, 2007. She said he may not be done with drawings by June 30, 2007, so a portion of his fee may need to come out of next year's budget.

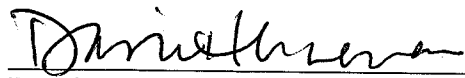
In response to a question from Thomas Cotter, Margaret said the City does not issue citations for sign nuisances. Ric said he would like the City to be more pro active toward the sign issues. Thomas Cotter said he would like to see a more even playing field when it came to business signs. He said real estate signs are placed on private property where they are not suppose to be but realtors continue to do so. He said he would prefer not to see several signs in disrepair on one corner. Mayor Brooker said all nuisance issues, including signs, originate from code enforcement.

**5. ADJOURN**

Mayor Brooker adjourned the Veneta City Council at 6:14 p.m.

  
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Mayor Brooker, Chairman

ATTEST:

  
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Darci Henneman, Assistant City Recorder  
(prepared by dhenneman)